

**KENTUCKY BOARD OF EDUCATION
REGULAR MEETING
AUGUST 11-12, 2004**

**STATE BOARD ROOM
1ST FLOOR, CAPITAL PLAZA TOWER
FRANKFORT, KENTUCKY**

SUMMARY MINUTES

The Kentucky Board of Education held its regular meeting on August 11-12, 2004, in the State Board Room, First Floor, Capital Plaza Tower, Frankfort, Kentucky. The Board conducted the following business:

Wednesday, August 11, 2004

CALL TO ORDER

Chair Helen Mountjoy called the Board meeting to order at 8:45 a.m.

ROLL CALL

Present for the meeting were Janice Allen, Dorie Combs, Bonnie Lash Freeman, Tom Layzell, Helen Mountjoy, Hilma Prather, David Rhodes, David Tachau, Keith Travis, Janna Vice and David Webb. Jeff Mando joined the meeting in progress.

APPROVAL OF MINUTES

Janice Allen moved approval of the minutes from the June 2-3, 2004, regular meeting and Dorie Combs seconded the motion. The motion carried.

REPORT OF THE SECRETARY OF THE EDUCATION CABINET

Secretary Ginni Fox shared the following in her report:

- Revenue reports are better than expected.
- The Governor is still focused on the passage of a budget.
- The Cabinet is working on planning for the next three months and is cautiously optimistic.
- Alignment is very important and the mission of the Cabinet is to pull together the work of the Kentucky Department of Education, Council on Postsecondary Education and the Education Professional Standards Board.

- It is hoped that the Kentucky Board of Education will continue to focus on the needs of students and not the convenience of adults.
- Appreciation was expressed for the Kentucky Department of Education's cooperation in getting the Standards and Poor's website up.

REPORT OF THE PRESIDENT OF THE COUNCIL ON POSTSECONDARY EDUCATION

President Tom Layzell reported the following:

- Nine regional meetings will be held across the state this fall and it is hoped that the Kentucky Board of Education members can attend one of these. The dates of the meetings will be announced soon.
- Following the first set of regional meetings, a second set will occur focused more on the postsecondary providers to discuss what was heard at the first set of forums and generate strategies to address the issues.
- To kick off the discussion for the forums, the Governor's Trusteeship Conference will be held September 19-20 at Western Kentucky University and will focus on what it is going to take to achieve the goals from KERA and House Bill 1.
- An education leadership policy group is being formed with Commissioner Wilhoit's involvement that will look at professional development and educational leadership needs in schools and districts. Educational leadership will be the focus of the teacher quality summit to be held on October 14-15 at Western Kentucky University.
- The Council is also looking at service learning and perhaps working with an organization called Campus Compact. Institutions are submitting applications to house a Campus Compact office here in Kentucky.
- The Council on Postsecondary Education will be amending its GED regulations to accommodate the changes made by the legislature and the new regulation being considered on the secondary GED program by the Kentucky Board of Education.
- In November, a statewide placement policy recommendation will be taken to the Council on Postsecondary Education.
- A set of conversations will be initiated with Commissioner Wilhoit and his staff on how high school faculty and postsecondary faculty can more closely be involved in each others' efforts.

REPORT FROM THE PRE-K TO 16 COUNCIL

Deputy Commissioner Linda France reported the following:

- The Pre-K to 16 Council met last on June 15 and looked at several issues including the P-16 vision and performance indicators that are being refined, the Kentucky Department of Education's work with the American Diploma Project and alignment issues, the Council on Postsecondary Education update on the underutilization of the High School Feedback Report, a report from Secretary Fox on a teacher quality conference she attended and a report from Deputy Secretary Mardi Montgomery on Kentucky's participation in the New Traditions, Options for Rural High School Excellence Conference.
- A motion was passed by the Council on Postsecondary Education and is now submitted to the Kentucky Board of Education on expanding the Pre-K to 16 Council's membership to include the Secretary of the Education Cabinet as a non-voting member, the Commissioners of Technical Education and Workforce Investment, the Council on Postsecondary Education's Vice President for Adult Education, business and labor representatives to be designated by the Kentucky Workforce Investment Board, a representative of a local P-16 Council and the Executive Director of the Kentucky Higher Education Assistance Authority. This motion was intended to expand membership to include all partners that need to collaborate in the P-16 effort.

At this point, Hilma Prather moved to approve the motion to expand the Pre-K to 16 Council and Bonnie Lash Freeman seconded it. The motion carried.

REPORT OF THE COMMISSIONER OF EDUCATION

Commissioner Gene Wilhoit reported the following:

- The commissioner has had ample opportunity to welcome students and teachers back to school in his onsite visits and has generally found there is a positive atmosphere at the local level. He has used the opportunity to share conversations from around the Board table about improvements to the assessment and accountability system and other issues. Wilhoit shared that a general excitement about this is held by school people.
- The data in the recent Adequate Yearly Progress (AYP) release was characterized as preliminary and tentative. It was noted that Kentucky is in a one-year transition period with the contractor where there is a preliminary and then final release and next year only one release of the total AYP report will occur. Staff was thanked for the many hours of work that went into this preliminary release and district assessment coordinators were thanked for coming in to review the data to look for problems before the release. The media was portrayed as covering the release in a positive and supportive manner. Schools not making AYP must announce and notify parents of this and parental choice must be

offered. Implementation of choice will be greater in the urban areas rather than in rural areas. For schools in Tier I, the school improvement plan must be revised; there are 111 schools in this category. For Tier II schools, the same actions as Tier I must occur plus the addition of offering supplemental services. Twelve schools are in Tier II. For Tier III, a corrective action plan must be formulated and there are seven schools in this category.

As part of the recent release, districts also are categorized as making or not making AYP (109 districts made AYP). All schools and districts made the participation rate requirement and the 10/60 rule does not appear to be a major factor in those not making AYP. When the final AYP release comes out in October, the data will be examined in great detail and a full report will come to the Board.

REMARKS BY CHAIR HELEN W. MOUNTJOY

Chair Mountjoy reminded the Board that KRS 156.029 requires the Kentucky Board of Education to elect officers at the first regular meeting of the fiscal year. She asked the Board's indulgence to be able to make a few remarks as follows:

- She has been honored for six years to serve as Chair of the Kentucky Board of Education.
- The work has not always been easy, but significant progress on student achievement has occurred because the focus has been kept on student learning and student achievement resulting in amazing accomplishments.
- This progress has occurred even though the old assessment and accountability system was scraped and a new one was generated.
- Gaps in student achievement are now recognized and strategies to close these occurred long before the new federal requirements.
- Issues at the Kentucky School for the Blind and Kentucky School for the Deaf have been addressed head-on for the first time.
- A close examination of the high school has begun with the intentions of improving that environment for our students as well as their achievement.
- New reading programs have been introduced and fourth and eighth graders' reading scores are in the top half of the nation.
- Kentucky has implemented the *No Child Left Behind* requirements without sacrificing its high standards.

- Kentucky is among the top 10% in implementing the requirements of *No Child Left Behind* as indicated by the Education Commission of the States, with only four other states in that category.
- These are not my successes or the Board's, but Kentucky's successes (the legislature, educators, parents, business folks, school council members, education partners, advisory groups, Kentucky Department of Education employees, and the media).
- Forty years ago this month, the late Ned Breathitt said: "Ours is the vision and ours is the growing reality of a great society in which the accidents of race and color, parentage and poverty, location and geography will not be allowed to dim the light of human hope and cripple the possibilities of human growth." This is our vision for education in Kentucky and is a growing reality.
- As I leave the Chair I look forward to continuing work as a member of the Kentucky Board of Education to continue to press for this vision until it does become a reality.

REPORT OF THE KBE NOMINATIONS COMMITTEE

Chair Mountjoy asked Hilma Prather for a report from the Nominations Committee. Ms. Prather indicated that the committee held no meetings and had no formal report.

ELECTION OF KBE OFFICERS

Chair Mountjoy asked if there were any nominations from the floor for Chair and Vice Chair of the Board. David Webb was recognized and first acknowledged Chair Mountjoy's service to the Board and the children of Kentucky. He then nominated Keith Travis as Chair and Hilma Prather as Vice Chair. Janice Allen seconded the motion and it carried.

Helen Mountjoy presented the gavel to Keith Travis and congratulated him upon his election.

RESOLUTION HONORING HELEN W. MOUNTJOY

Keith Travis noted that a draft resolution could be found in the Board members' meeting folders and asked for a motion and second to approve the resolution. David Tachau moved approval and Jeff Mando seconded the motion. The motion carried.

Keith Travis then read the following resolution to honor Helen W. Mountjoy:

Resolution
By
The Kentucky Board of Education
Commonwealth of Kentucky

To All To Whom These Presents Shall Come:

- Whereas,*** The Kentucky Board of Education's vision is that "Every child, regardless of parentage or poverty, geography or location, will receive a world-class education to prepare for productive adult life, continuing education and responsible citizenship"; and
- Whereas,*** Helen W. Mountjoy has dedicated the majority of her waking moments, at great personal sacrifice, from February 1991 to the present toward realizing this vision; and
- Whereas,*** Helen W. Mountjoy has performed at the distinguished level in her fervent leadership of the Kentucky Board of Education as its chair from 1998 to 2004; and
- Whereas,*** Helen W. Mountjoy has stepped forward as an eloquent orator to legislators, parents, local board of education members, education constituents and the public on providing equal educational opportunities for all students; and
- Whereas,*** Helen W. Mountjoy has stood firm in the face of adversity regarding the Board's longstanding commitment to assisting students and schools to achieve high standards and reach proficiency by 2014;

NOW, THEREFORE, be it resolved by the Kentucky Board of Education to recognize and extend its sincere gratitude to Helen W. Mountjoy for her service to the students of this Commonwealth.

**DONE AT THE KENTUCKY BOARD
OF EDUCATION MEETING, in the city
of Frankfort, this eleventh day of August,
in the year Two Thousand and Four.**

**Keith Travis, Chair
Kentucky Board of Education**

**Gene Wilhoit, Commissioner
Kentucky Department of Education**

Ms. Mountjoy accepted the framed resolution and thanked the Board for this honor.

At this point Keith Travis thanked his fellow Board members for their confidence in him by electing him Chair and thanked his family and employer for their indulgence to allow him to devote the time he will need to serve in this capacity.

APPOINTMENT OF KENTUCKY BOARD OF EDUCATION COMMITTEE CHAIRS

Chair Keith Travis then appointed the following committee chairs for 2004-2005:

- Management Committee – Jeff Mando
- Curriculum Committee – Dorie Combs
- Assessment and Accountability Committee – Hilma Prather
- KSB/KSD Committee – David Tachau
- KBE Audit Committee – Janna Vice
- Evaluation Appeals Panel – Helen Mountjoy
- P-16 Report – Bonnie Lash Freeman

Additionally, Travis asked the new Board members and Ms. Mountjoy to indicate their choices for committee assignments on the sheet found in their folders. He also asked chairs to choose vice chairs for their committee. Travis noted that no structural changes will be made to committees at this point and said this would be considered in January, if necessary.

GOOD NEWS FROM SCHOOLS AND DISTRICTS

Chair Keith Travis shared the following items of good news:

- Dr. Roger Cleveland, the Director of the Division of Equity and Federal Program Resources, received the Kentucky Education Leadership Award at the Minority Administrators Leadership Conference in Biloxi, Mississippi. The award is sponsored by the Mississippi Department of Education and NOVA Southeastern University in Miami, Florida. Dr. Cleveland was asked to stand and received applause honoring his achievement.
- Elaine Farris was named superintendent of Shelby County Schools near the end of June and is Kentucky's first minority superintendent. She was a member of the first group of Kentucky Department of Education/Kentucky Board of Education Minority Superintendent Interns and shadowed former Shelby County Superintendent Leon Mooneyhan for almost a year. Elaine has almost 20 years of experience as a teacher, principal and administrator and has vowed to take the district to the 'next level' with the ultimate goal of making it one of the top 20 in the state. This is cause for great celebration and hardy congratulations were given to Elaine Farris!

- Scott County School District has joined select company by winning an award given to just one other United States school district. The district will be honored for “being inviting” by the 21st Century Schools Distinction Program. Scott County is the first district to receive this award since 1998 and it is a testament to how well these schools interact with the community. Additionally, four Scott County elementaries - Ann Mason; Garth; Stamping Ground and Western – won individual awards for “being inviting”. Congratulations were expressed to the district and the individual schools for this achievement.

David Tachau was then recognized to share some good news as follows:

- Summit Elementary in the Boyd County School District has been chosen to receive the Involved Parent/Teacher Award in the 21st Century Schools Distinction Program, sponsored by Intel Corporation, Scholastic Inc., and the Blue Ribbon Schools of Excellence Foundation. In a June 21 ceremony, Pamela Martin, Principal of Summit Elementary, Superintendent Bill Capehart and Norma Meek, District Parent Involvement Coordinator, accepted \$120,000 in cash, professional development resources, software, hardware and curriculum materials. The \$120,000 is Summit’s share of \$2.3 million in corporate gifts earmarked for the schools that receive the top two awards in each of the ten “best of the best” categories. Summit and a school in Southern California were the only ones to receive the Involved Parent/Teacher Award and is one of only twenty schools honored by the 21st Century Schools Distinction Program. Hardy congratulations were offered to Summit Elementary.

Next, Bonnie Lash Freeman shared the following piece of good news:

- Katherine Klem of Assumption High School in Louisville, Adam Wise of Jefferson County’s duPont Manual High School in Louisville and Joanne Luckey from Adair County High School in Columbia have been selected as Presidential Scholars. They are 3 of 141 outstanding high school seniors across the country to receive this honor given to students based on academic and civic achievements. Ms. Freeman called each school to offer congratulations to the principal and students.

Janice Allen then reported the following pieces of good news:

- On Tuesday, August 31, 2004, Virgie Middle School in Virgie, Kentucky, will have a dedication of a new state-of-the-art technology lab. The Kentucky Association of School Administrators and their Executive Director, Wayne Young, chose Virgie Middle School from over 100 applicants and PLATO Learning is providing the hardware and software for the lab. PLATO Learning will award 20 new Dell workstations, a file server as well as their comprehensive middle school software programs to Virgie Middle School. The company will install all the equipment and provide training for the teachers on integrating the

technology into their classroom instruction. Janice Allen will represent the Board at the ceremony.

- Howard Osborne, principal at Pikeville Elementary School in the Pikeville Independent School District, was selected as Kentucky's 2004 National Distinguished Principal. This is a prestigious honor awarded by the National Association of Elementary School Principals and United States Department of Education. Principals across the state nominate and select the winner. Mr. Osborne is no stranger to big awards; he won the Milken Foundation National Educator Award in 2003, is a two-time winner of the KET/Ashland Oil Foundation Teaching with Television state award and is a three-year member of the Department of Education's Commissioner's Principal Advisory Council. Congratulations went to Mr. Osborne.
- At this point David Webb asked to be recognized to share an article with the Board about Mr. F.O. Moxley, who was an educational leader from the Bowling Green area that passed away at the age of 96. Mr. Moxley was characterized as living a life of firsts and having accomplished outstanding achievements. Included in his accomplishments were being the first elementary guidance counselor in the state and the first African-American to graduate from Western Kentucky University with a masters degree in psychology and guidance. Mr. Webb asked that some form of recognition go to Moxley's family from the Board. Chair Travis agreed that a letter would be generated in honor of Mr. Moxley.

KDE EMPLOYMENT REPORT

Chair Travis called the Board members' attention to the KDE Employment Report that appeared on page 63 of the Agenda Book and noted the Department's continued vigilance on minority hiring and employment. Commissioner Wilhoit called attention to the fact that the Department's goal continues to be higher than that of state government's for minority employment.

COMMITTEE MEETINGS

The Assessment and Accountability Committee and the KSB/KSD Committee met from 9:30 a.m. to 12:00 noon.

PRESENTATION OF THE JOSEPH W. KELLY AWARD

Chair Keith Travis presented the annual Joseph W. Kelly Award to Ann Yager Hamlin, Director at Stith Funeral Home in Danville. He noted that Ms. Hamlin volunteered to chair the business mentoring after-school program, a local initiative developed by the Danville/Boyle County Chamber of Commerce this school year. Travis went on to say that the program pairs students with business mentors for a nine-week period, introduces them to the world of business and provides service-learning opportunities. Ms. Hamlin, Travis noted, coordinated the program, recruiting, matching and training more than a dozen business people from the community with students from Bate and Boyle County

Middle Schools. Ms. Hamlin and her guests were invited to attend a luncheon in her honor following the award presentation.

2005 LEGISLATIVE AGENDA OF THE KENTUCKY BOARD OF EDUCATION

Deputy Commissioner Kevin Noland shared the following about the legislative agenda:

- Items are included from the last legislative session that did not pass.
- A new item exists to address clarity on the nonresident student appeals statute relative to the best interest of students.

The floor was then opened to questions on the legislative agenda document. The following comments or questions were offered from Board members:

- The language relative to the nonresident student appeals statute should provide more meat on the bones and a sounder rationale if it is going to proceed to the General Assembly.
- Will there be any non-budgetary items on school health or service learning that have previously been mentioned by the Commissioner? Response: Staff will bring a report to the October meeting on school health. We have been working with Secretary Fox on this and want to provide flexibility to schools but involve the community, doctors, parents and others.
- Relative to the instructional leadership reporting item, has the Education Professional Standards Board been consulted? Response: Staff will dialogue with them before the next meeting and report the results.
- More explanation of the Key Transition Points piece is needed. Response: The Department attempted to bring this forward during the last session to make sure students are identified if there are learning needs and intervention is provided without just promoting them on to the next grade.
- Has any thought been given to addressing the selection of principals? Response: Kevin Noland is working with the Education Coalition on this matter.
- Although clarification on critical dates for school districts was added for some items, there are still other dates relative to budgets that may need to be included. Response: Staff will check to make sure they have not omitted anything.

At this point, Deputy Commissioner Kevin Noland pointed out the following that did not appear on the Board's prior list for legislative consideration:

- Suing the Kentucky Board of Education for local district accidents – This language is included to avoid unnecessary funds being expended by the Commonwealth for things the Board and Department have no control over.
- Education technology offers of assistance – These dollars are offered to local school districts to purchase computers and currently, the districts have three years to expend the funds. Some are not as aggressive as others and it is proposed to change it to a two-year period for expending the funds.

HEARING OFFICER'S REPORT

Deputy Commissioner Kevin Noland indicated a hearing was scheduled in July on the regulation dealing with A2-A6 schools. However, he said no written or oral comments were received. Noland went on to say that five teacher evaluation appeals had been received and noted that three board members will be needed to hear these cases in conjunction with the October meeting. It was stated that Helen Mountjoy will chair this committee and David Tachau and David Webb will serve as committee members.

WAIVER REQUEST FROM ROCKCASTLE COUNTY SCHOOL DISTRICT

Deputy Commissioner Kevin Noland indicated that an item came to the Department late yesterday afternoon from Rockcastle County School District involving a girl that has seizures and whose service dog warns her of these oncoming events. He explained that the service dog is now admitted to accompany the girl to school and shared the district is now asking for a waiver of the regulation on bus transportation to allow the dog to accompany her on the bus. Deputy Commissioner Kevin Noland indicated that Jeff Mando will consider this matter in the Management Committee and bring a recommendation to the full board tomorrow.

ANNOUNCEMENTS

Chair Keith Travis announced the following before breaking into committees:

- At 7:00 p.m. tonight the Board will meet in closed session to discuss the Commissioner's evaluation. No business will be conducted during the closed session.
- Tomorrow morning, a joint meeting of the Curriculum and Assessment and Accountability Committees will occur at 8:30 a.m.

COMMITTEE MEETINGS

The Curriculum Committee and Management Committee met from 2:00 p.m. to 4:30 p.m.

EVALUATION OF THE COMMISSIONER

From 7:00 p.m. to 10:00 p.m., the Board entered into closed session to discuss personnel. No action was taken during the closed session.

Thursday, August 12, 2004

COMMITTEE MEETING

The Curriculum and Assessment and Accountability Committees met in joint session from 8:30 a.m. to 9:30 a.m. to review Kentucky's Writing Assessment.

APPROVAL OF ACTION/CONSENT AGENDA ITEMS

Dorie Combs moved to approve the following Action/Consent items and David Tachau seconded the motion:

- Certification of nonpublic schools
- Appointment of the Textbook Commission
- Appointment of the Writing Program Advisory Committee
- 2004-2005 Local District Tax Rates Levied
- District Facility Plan for Fairview Independent

The motion carried approving all the action/consent items.

INTERNAL AUDIT COMMITTEE REPORT

Chair David Tachau indicated that Janna Vice would be the new chair of the Internal Audit Committee.

Action/Discussion Items

1. **Revision of Internal Audit Charter**. Chair Tachau reported that the committee made some additional changes to the audit charter, originally adopted in 2000. He noted that John Heeb was the full-time internal auditor and completed a number of reports before retiring last summer. He continued that the committee decided as a cost-cutting measure and also because of actual need, that spot checks would be conducted in certain areas instead of employing a full-time internal auditor. Tachau reminded the Board that the areas of study included relationship with education coops and reviewing the Commissioner's expenses. He then summarized the changes made to the charter as follows:
 - Delete the internal audit function as a separate position.
 - Identify the functions to be continued and define how fiscal oversight will be done.

- Seek a relationship with the State Auditor to perform the identified audit functions.
- The word internal was deleted.
- In Section 4 a new sentence was added to read, “The audit function will be accomplished by contracting with the Auditor of Public Accounts.”
- To Section 10, paragraph 1, the following sentences were added, “Reports are to be submitted directly to the Commissioner of Education and the Deputy Commissioner of the Bureau of Operations and Support Services who are responsible for forwarding copies of the audit report to the KBE Audit Committee. When appropriate to maintain the independence of the audit, the report shall be submitted by the auditor directly to the KBE Audit Committee.”
- To Section 10, last paragraph, the following sentence was added, “When audit reports are discussed by the KBE Audit Committee, the Auditor will be expected to be available to respond to questions.”

At this point Chair Tachau moved adoption of the revised Internal Audit Charter and the Board agreed.

Review Items

1. **Response to Auditor’s Report and Corrective Action Plan.** Tachau indicated that the committee reviewed the auditor’s report and corrective action plan. He emphasized that historically there have been remarkably few comments or corrections required, as is the case for this year.

MANAGEMENT COMMITTEE REPORT

Review Items

1. **702 KAR 1:001, Implementation Guidelines, Kentucky School Facilities Planning Manual.** Chair Jeff Mando indicated that even though this regulation came forward for final action, the Committee recommends that no action be taken so that staff can look at suggested revisions that came forward during the discussion. He stated that it will come back for final approval to the October meeting.

Action/Discussion Items

1. **Request from Rockcastle County Superintendent to Grant a Waiver of 702 KAR 5:080.** Chair Mando reported that the Rockcastle County superintendent had requested the Board to grant a waiver of 702 KAR 5:080 so that an assistance dog could accompany a child on the bus. He indicated that the committee recommends and he so moved approval of the waiver request with a suggestion that a monitor accompany the girl and her dog on the bus. The Board agreed with the motion.

2. **FY2005 Kentucky Education Technology System (KETS) Funds Expenditure Plan.** Chair Mando stated that the committee looked at and approved the FY2005 KETS Funding Expenditure Plan for \$19.6 million. He indicated that the committee had a compelling discussion due to the initiative that is focused on implementing on-line assessment. Mando emphasized that Kentucky has antiquated workstations and ranks 48th in this area. He went on to say that it will require a significant expenditure of funds to get the hardware up to standard statewide in order to do on-line assessment. He continued that it will take approximately \$40 million to put this type of workstation in all the places that will require it. Chair Mando summarized that the two issues relevant to on-line testing and technology are the age of workstations and capacity of the system to handle on-line testing. He noted that Kentucky was once out in front in the area of technology but has not taken the steps to replace outdated equipment. Mando commented that we must build funding support to enable on-line testing to occur. He then recommended on behalf of his committee to approve the FY2005 KETS Funds Expenditure Plan for \$19.6 million and the Board concurred.

Review Items

1. **KHSAA Title IX Update.** Jeff Mando reported that Brigid DeVries and members of her staff appeared before the committee. He noted that KHSAA has completed the first cycle of audits and is now starting with the second round.
2. **Differentiated Compensation Pilot Status Report.** Jeff Mando stated that the committee had before it yesterday Superintendent Stephen Daeschner of the Jefferson County Public Schools and the Iroquis Middle School Principal from Jefferson County, whose school is part of the pilot program. He said that the program has been well received so far by the pilot sites and noted the overwhelming acceptance of the program by the participating teachers, who were surveyed. Mando explained that this is one year's worth of data from a two-year program and commented there is certainly no trend data available as of yet. He indicated that the committee wants to see the second year's data before taking any further action in this area. Mando went on to say that the University of Kentucky is also undertaking some detailed case studies involving these pilots that will provide more objective and informative data. He commented that overall the committee is pleased with the results from this program.
3. **Update on Deficit and Watch List Districts.** Chair Mando noted that Covington Independent is now out of deficit; however, he explained the final audit report is not yet in to verify this. Relative to Jackson County, however, he pointed out this is the third year in a row that the district has ended with less than a 2% balance. Mando emphasized that the committee is not happy with the response from the district and recommends extending an invitation to the superintendent and board chair to come before the Management

Committee at the October meeting to discuss the district's financial issues. Chair Mando said that a letter will be sent to both individuals extending this invitation.

CURRICULUM COMMITTEE REPORT

Action/Discussion Items

1. **704 KAR 7:140, World War II Veterans' Diplomas (Final).** Chair Dorie Combs indicated that final approval of this regulation will give local boards authority to issue diplomas to the Korean War veterans in addition to those of World War II. She moved final approval of 704 KAR 7:140 and the Board concurred.

Review Items

1. **704 KAR 7:090, Homeless Children Education.** Chair Combs reported that the revisions to this regulation came about initially because of the need to comply with federal law. She stated, however, staff is finding many problems with the requirements, including many objections by the Local Superintendents Advisory Council. Combs indicated that Deputy Commissioner Kevin Noland came to the committee and suggested that staff go back and examine what other states are doing relative to these requirements and make sure that we will not be going beyond what federal law requires. She went on to say that Noland said the regulation would come back to the Board in October as a review item with presentation of additional data and a recommendation on whether the Board must pursue revisions to 704 KAR 7:090.
2. **702 KAR 7:150, Secondary GED Program and ACE Application.** Chair Dorie Combs explained that House Bill 178 made it possible to have a secondary GED program in Kentucky. She continued that in order to have this program, a regulation must be developed to meet the requirements of the American Council on Education (ACE), the organization that grants the recognition of the secondary GED program. She noted that the Department must make application to ACE and get approval, with the application meeting ACE standards. Combs noted that the Board prefers students to earn a high school diploma; however, she noted due to the large number of dropouts, the secondary GED would be a stopgap measure to help these students get some kind of academic credential if they are going to drop out anyway. She then summarized that staff were asked to bring back the regulation to the committee in October to clarify:
 - The degree of credit deficiency that would indicate the program would be an option for students who wish to voluntarily participate, and
 - Inclusion of language requiring students to participate in the Commonwealth Accountability Testing System if enrolled in the program.

3. **Refocusing Secondary Education.** Chair Combs commented that the Board received a separate piece titled “Conceptual Framework to Guide Refocusing Secondary Education Initiatives”. She stated that this framework is all about raising the bar, rigor, relevance and relationships. Combs emphasized that all of the pieces in the framework have to be put together in order to make the desired impact. She explained that this framework came out of the work with the Vanguard sites and allows for flexibility with students spending more or less time on subjects relative to their needs. Combs stated that it also looks at how middle schools prepare students for high school as well as the postsecondary connection in reducing remediation rates. She commented that the framework is conceptual at this point, but indicated the committee agreed that staff should move forward with its implementation.

REPORT FROM THE JOINT MEETING OF THE CURRICULUM AND ASSESSMENT AND ACCOUNTABILITY COMMITTEES

Review Items

1. **Review of Kentucky’s Writing Assessment.** Curriculum Committee Chair Dorie Combs summarized that the joint committee meeting looked at the work of the Writing Focus Group to this point and reviewed research relevant to effective writing. She stated that the committee encouraged the Writing Focus Group to keep brainstorming and come back with options for the Board to consider. Combs reported that the committee also looked at what the law says the assessment must contain relative to writing, which is some kind of portfolio. However, she explained that the law does not require it to be part of the accountability system.

ASSESSMENT AND ACCOUNTABILITY COMMITTEE REPORT

Review Items

1. **Request for Proposals (RFP) for the Commonwealth Accountability Testing System (CATS): 2007 and Beyond.** Chair Hilma Prather reviewed that the contract with Kentucky’s current assessment vendor ends in 2006. She then noted that the committee is working with the Department to make improvements in CATS so that the Department can issue a new Request for Proposals to get bids and let a new contract for the assessment that will run for five years, beginning in the spring of 2007. She emphasized that the Request for Proposals is a normal process for conducting business and stated that the most important work must be done up front prior to the issuance of the Request for Proposals. Prather indicated that the Request for Proposals will be finalized by the Board in February and then released following its approval. She continued saying that in building the Request for Proposals, the Board and Department are trying to be responsive to concerns expressed by all constituent groups.

Chair Prather said that Commissioner Wilhoit came before the committee yesterday to outline his conceptual framework for improving CATS. She pointed to his two guiding principles that must be remembered as these improvements are made as follows:

- The test must be valid and reliable.
- The test must promote good teaching and learning.

From there, Prather said that the commissioner went through his Seven Steps Forward in Assessment as follows:

- **Content and Student Performance Standards** – Chair Prather said that it must be clear what is important to learn and when it is important to learn it. She explained that three documents exist at this time and need to be condensed, as well as aligned with international and national standards. She emphasized that this process will be used to make revisions to the standards and not to start from scratch because we already have a solid foundation that just needs tweaking. Prather assured the Board that constituent groups will be consulted, but indicated not using as extensive a process as when the standards were established.
- **Writing Assessment and Assessment of the Arts** - Ms. Prather referred to Dorie Combs' report on the work of the Writing Focus Group as background for this step. She reminded Board members that there is a statutory mandate, a regulatory mandate and those of individual conscience to assess writing. She emphasized that the Board wants the system to promote good learning in the classroom. As to practical living and vocational studies and arts and humanities, Prather noted consensus exists that the way we are currently assessing these areas is not the best.
- **Longitudinal Assessment** - Chair Prather reminded the Board that CATS measures the same grade levels each year; however, she pointed out another way to measure performance is to take the same students and look at their progress over time. She went on to say that until the *No Child Left Behind Act* forced states to add reading and mathematics in grades 3-8, Kentucky did not have a means to measure performance over time. Prather continued that a longitudinal measure is not included in the accountability index and said the Board will need to examine whether inclusion needs to occur.
- **Turnaround Time for Reports: On-line Administration and Report Delivery** - Ms. Prather explained that there has been an outcry for quicker turnaround time on test results due to the desire for student accountability measures, student placement data, school improvement planning data and a basis for professional development needs. She continued that technology will enable quicker turnaround time and

emphasized that Kentucky must have an updating of its computer hardware in order to do on-line assessment. Prather noted that Kentucky students will be able in the near future to take multiple choice items on-line and get immediate feedback. Relative to open-response items, she explained that we will move to in-state scoring first and have some released items for teachers to score at the local level.

- **Student Accountability** - Hilma Prather stated the perception exists that some students do not feel responsible for doing well on CATS. She said that being able to give immediate feedback on multiple choice items and to score some released open-response items will give teachers options for student accountability at the local level rather than student accountability being part of the accountability index. She went on to say that by redefining the number of forms and other changes to the test, it may be possible to release some items annually for scoring locally.
- **End-of-Course Assessments at the Middle and High School Levels** - Chair Prather reported that several states use graduation exams but noted that one problem with these is opportunity to learn. She explained that another way to hold students accountable would be to use end-of-course assessments, which would provide incremental testing at various points in students' career. Prather said that we would begin with end-of-course assessments in the core classes but emphasized that the scoring of these would not be rolled into the accountability index. Instead, she explained, these would be used locally for whatever purpose they determine appropriate.
- **Diagnostics/Formative (Snapshot) Assessments** - Hilma Prather explained that there are two kinds of assessments: cumulative assessments, which are given at the end of a process, and formative assessments, which are given at different points in the instructional process. She noted that teachers must use formative assessments to understand how students are doing. With the snapshot assessments being created by the Department, Prather explained, teachers would be able to use on-line CATS-like tests to check on how students are progressing. She said that the committee received the report on these types of assessments with excitement and encouraged staff to go forward with development in this area. Prather stated that staff will come back to the Board with updates as progress occurs.

1. **Improving Student Achievement Through Technologically-Administered Assessments.** Chair Prather emphasized that this item is intricately linked to the Seven Steps Forward because we are moving to use technology for on-line testing and to make available models to tailor instructional units and meet individual needs. She stated that Deputy Commissioner Linda France, Director Michael Miller, Donna Eustace and Jay Roberts provided a hands-on presentation of the Department's tools that are already available on the

website. Additionally, she said that Dr. Paul Eakon and his team demonstrated the University of Kentucky system that is already in use. Prather continued that the Instructional Management System is the Department's on-line system for assisting teachers, but noted it is just getting started. She commented that in order to accomplish our goal to assist teachers in meeting individual needs, partnerships must be forged. She explained that the Commissioner and Deputy Commissioner Linda France are in conversations with the University of Kentucky about partnering in these areas.

KSB/KSD COMMITTEE REPORT

Chair Keith Travis shared that David Tachau had agreed to chair the KSB/KSD Committee in the future. He noted that both KSB and KSD met their preliminary AYP goals and said the committee complimented them on this accomplishment.

Action/Discussion Items

1. **Five-Year Plan of Services for Students that are Deaf/Hard of Hearing, Blind/Visually Impaired and Deaf/Blind.** Chair Travis indicated that the Board had before it the complete five-year plan and an executive summary. He noted that it gives dates and responsible persons through 2009. Travis commented that the four parts of the plan are:

- Services to young children
- Curriculum and instruction at KSB and KSD
- Regional programs and service options for students
- KSB/KSD statewide comprehensive resource centers

Travis continued saying the committee discussed any remaining concerns that exist at this time including financial feasibility and the fact that the plan is ambitious. He noted that another piece is proceeding at both schools, which deals with the local planning committee process and said this will come before the committee soon. Travis emphasized that it is gratifying to change from a planning stage to one of implementation with the approval of this five-year plan. On behalf of the committee, he then recommended approval of the Implementation Plan for Stakeholders' Recommendations on Statewide Services to Deaf/Hard of Hearing and Blind/Visually Impaired Students, School Years 2004-2009. The Board concurred with the recommendation.

Chair Travis recognized Helen Mountjoy to explain her vote. Mountjoy said a lot of credit should go to Keith Travis for his tenacity in seeking improvements at the two schools and also to staff and stakeholders for their patience. She emphasized she feels it is a wonderful opportunity to put the schools back on the cutting edge as they were when originally established.

INTERNAL BOARD BUSINESS

The following items were dealt with under the Internal Board Business agenda items:

- Chair Travis indicated that David Rhodes will now be the Safe Schools Advisory Committee representative, Jeff Mando will be NASBE Healthy Schools Network representative, Janice Allen will be the SAELP representative and David Tachau will continue to serve on the Equity Advisory Council.
- Travis reminded members that the Board's next meeting will occur on September 7 at 9:00 a.m.
- Chair Travis asked Hilma Prather to work on developing a procedure for the operation of the nominating committee as it proposes board officers.
- Helen Mountjoy moved approval of those Board members' travel who are interested in attending the NASBE Annual Conference in October and David Rhodes seconded the motion. The Board concurred.

COMMISSIONER'S EVALUATION

Chair Travis announced that the Board would now conduct a session for evaluating the commissioner. Jeff Mando moved to enter closed session to discuss personnel and David Webb seconded the motion. The motion then carried. To come out of the closed session, Dorie Combs so moved and David Rhodes seconded the motion. The motion carried. Travis reported that no action was taken during the closed session.

ADJOURNMENT

The Board meeting adjourned at 3:00 p.m.